

AmendmentGAU 37391
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ArthroCare Corporation
595 N. Pastoria Avenue
Sunnyvale, CA 94086
(408) 736-0224



In re application of: Philip E. Eggers et al.

Application No.: 09/314,247

Filing Date: May 18, 1999

Group Art Unit: 3739
For: SYSTEM FOR TREATING ARTICULAR CARTILAGE DEFECTS

Atty. Docket No. A-2-6

Date Feb 17, 2000

I hereby certify that this is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D. C. 20231.

Date: Feb 17, 2000

[Signature]

THE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- Enclosed is a petition to extend time to respond.
- Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- If any extension of time is needed, then this response should be considered a petition therefor.

The filing fee has been calculated as shown below:

| (Col. 1) | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | SMALL ENTITY | | OTHER THAN A SMALL ENTITY | |
|---|---|-------|---------------------------------------|------------------|------------------|---------------|------------------------------|-------------|
| | | | | | RATE | ADDIT. FEE | OR | RATE |
| TOTAL | 57 | MINUS | 30 | = 27 | X9= | \$ | OR | X18= \$486 |
| INDEP. | 4 | MINUS | 3 | = 1 | X39= | \$ | | X78= \$78 |
| [] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | | +130= | \$ | | +260= \$ |
| | | | | | TOTAL ADDIT. FEE | \$ | | TOTAL \$564 |

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

No fee is due.

Please charge Deposit Account No. 50-0359 as follows:

- | | | |
|-------------------------------------|--|-----------|
| <input checked="" type="checkbox"/> | Claims fee | \$ 564.00 |
| <input checked="" type="checkbox"/> | Any additional fees associated with this paper or during the pendency of this application. | |
| <u>2</u> | Extra copies of this sheet are enclosed. | |

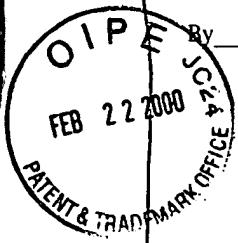
John T. Raffle
Reg. No.: 38,585

[Signature]

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PATENT
Attorney Docket No. A-2-6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
PHILIP E. EGGERS et al.) Examiner: L. Cohen
Application No.: 09/314,247) Art Unit: 3739
Filed: May 18, 1999)
For: SYSTEM FOR TREATING ARTICULAR)
CARTILAGE DEFECTS)
AMENDMENT)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed November 29, 1999, please amend the above-identified application as follows.

IN THE SPECIFICATION:

At the end of the specification and before the claims, please insert the following:

- Referring to Fig. 25, another embodiment of the present invention intended for smoothing of body structures (e.g., articular cartilage located on the surface of a condyle) while minimizing the depth of necrosis of the underlying tissue includes electrode terminals 58 in an electrical insulating matrix 48 is similar to the embodiments described above except that the electrode terminals 58 are flush with the surface of the electrically insulating matrix 48. The rate of ablation achievable with the use of "flush" electrode terminals 58 is lower than that for electrodes which extend beyond the face of the electrically insulative matrix 48, but such

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